GOVERNMENT OF ANDHRA PRADESH
ABSTARCT

Public Services- A&C Dept. – Public Services - Departmental proceedings initiated against Sri K. Muralimohan, formerly ADA ®, Sompeta, Srikakulam District and now retired as DDA, PD, ATMA, Kakinada for cheating the farmers – Inquiry report submitted by the Inquiry Officer – Examined – Communicated to the C.O. – Explanaction submitted – Took Provisional Decision for imposing a punishment of 15% cut in pension permanently – Issued S..C.N. under APRP Rules, 1980– Expln. Submitted – Examined – Rejected - Punishment of 15% cut in pension permanently – Orders – Issued.

G.O.Ms.No.20 **Dt: 27-02-2018.**
Read the following:-

1.From the C&DA,AP, Hyderabad,Lr.No.Vig.II(5)/265/2010, dt:20-07-2011. Along with preliminary EO's submitted by .DA-IV O/o C&DA AP, Hyderabad
2..G.O.Rt.No. 909 A&C (Vig-1) Dept., Dated 3-8-2011.
3.G.O.Rt.No. 1022 A&C (Vig-1) Dept., Dated 9-9-2011.
4.From the C&DA,AP, Hyderabad,Lr.No.Vig.II(5)/265/2010, dt:21-12-2011 explanation of K Murali Mohan former JDA(R) Sompeta, Srikakulam Dist.
5.G.O.Rt.No. 44 A&C (Vig-1) Dept., Dated 12-1-2012.
6.From the C&DA,AP, Hyderabad,Lr.No.Vig.II(5)/265/2010, dt:03-07-2012 along with enquiry report submitted by the enquiry authority.
7.Memo No 8460/Vig.I/2011-1 Dt:30.07.2012 of A & C(Vig.I) Dept Endt.NoVig.II(5) 265/10, Dt:13.8.2012 of the C&DA Hyderabad.
8.From Sri K Murali Maohan former ADA(R),Sompeta, Srikakulam Dist Dt: 19.12.2012.
9.G.O.Rt.No. 369, A&C (Vig-1) Dept., Dated 16.02.2013.
10 GO.Ms.No.39, A&C(Vig-1) Dept., Dated:17-05-2016.
11. Memo No 8460/Vig.I/2011-1 Dt:12-12-2017 of A & C(Vig.I) Dept.
12. From Sri K Murali Maohan former ADA(R),Sompeta, Srikakulam Dist Dt: 22-01-2018.
13.Govt.Lr.No.8460/Vig.I(1)/2011, dated:30.1.2015 addressed to APPSC.
14. From the APPSC,Lr.No.101/DC&C/2018, Dated: 19.2.2018.

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ORDERS:-

In the reference 1st read above,, the Commissioner and Director of Agriculture, A.P. Hyderabad has reported that Sri A. Venkata Rao and others of Kaviti Mandal, Srikakulam District alleging that Sri K. Murali Mohan formerly ADA®, Sompeta has collected huge amounts from the farmers by giving false promise to them for providing jobs. The same was enquired by the Addl. Director of Agriculture, in the said preliminary enquiry it was established prima facie. Basing on the report of the Commissioner and Director of Agriculture, A.P. he was kept under suspension in the ref. 2nd read above Subsequently, charges have been framed against him in the G.O. 3rd read above, under rule-20 of APCS(CCA) Rules, 1991.

2. In the ref 4 read above, Sri K. Murali Mohan, former ADA ®, Sompeta submitted his written statement of defence to the charge Memo. The Government have examined the W.S.D., not satisfied with it and have appointed Sri S.Balalinganna, , Addl. D.A. -III, office of the C&DA., as regular Inquiring Authority to inquire into the charge framed against him, and also appointed Sri Ch. Dhanunjaya Naidu, Inspector of Police, CID, RCIU, Visakhapatnam as the PO vide G.O. 5th read above.

3. In the ref 6th read above, received inquiry report stating that the IO in his report has observed that it seems to be most of complainants have given statement in the enquiry made on 2-5-2012 that they have given hand loans to the C.O., with a lenient view and mercy on him. It is not reliable that 27 individuals who are poor farmers and cultivation labor of the small villages have given loans for such huge amounts to the C.O., The complainants are directly are indirectly connected with the agriculture departmental activities. The C.O., by taking the advantage of his official position, has trapped the innocent Adarsha Rythulu, Farmers and others and collected money deceiving them that he will provide jobs to them by taking Rs.25,000/- from each person. The declaration taken from 23 persons is clearly shows that the C.O. is guilty in this case. He has defamed the department and had misbehavior and misconduct with farmers and others who are closely related to the department. Even borrowing of money from any person with in the local limits of his authority or with whom he is likely to have official dealings will come under misconduct of such employee. While observing that the above the Inquiry Officer finally reported that the charge framed against the C.O**.,** held as proved**.**

4. In the ref 7th read above, the I.O.'s report has been communicated to the C.O. offering his explanation on the findings of the Inquiry Officer. The C.O., has submitted his written explanation to the findings of the Inquiry Officer, in the ref 8th cited, wherein he has denied the charge framed against him and stated that this is a known fact to all Adarsha Rythus and other farmers who have given hand loans to him as he was not in receipt of his salaries due to non receipt of LPC from the O/o. PD, DWMA, Srikulam from 2/2008 to 5/2012. Due to non-receipt of salaries for the period he could not repay their loans in time. They have lodged a complaint against him to the C&DA, Hyd and maligned him in the print and electronic media. The said loan amounts have been cleared to the farmers and those farmers have also given him an undertaking unconditionally with drawing the petition made against him and requested to drop further action against him besides revoking the suspension at the earliest.

5. The government after examining the above and observed that "the written explanation submitted by the C.O., against the finding of the I.A., is in the nature of afterthought and bereft of any basis and hence deserved to be rejected and a suitable punishment needs to be imposed accordingly and took a provisional decision to impose a punishment of 5 increments with cumulative effect. Sri K. Murali Mohan, former ADA ®, Sompeta, Srikakulam district now DDA, Kurnool has been revoking his suspension and reinstated into the service pending finalization of the disciplinary proceedings vide ref 9th read above and reported on 21.05.2013 as DPDA, ATMA, Kakinada. Due to delay in submission of the SR and other material by the C&DA, Hyd. He was retired from service on 31-10-2016 on attaining the age of superannuation vide GO 10th read above.

6. The Government have further examined taking into consideration of service particulars and observed that the above said punishment of stoppage of 5 increments with cumulative effect is not feasible to implement it. Accordingly, the Government has further examined and took a revised provisional decision to impose a punishment of 15% cut in pension permanently against him under Rule 9 of APRP Rules, 1980. A show cause notice was issued to him for his explanation in the ref 11th read above as required under rules in force.

7. In the ref 12th read above, the CO has submitted his explanation stating that the charges framed against him vide ref 2nd read above and the criminal case filed against him vide C.C.No.124/2012 in the Court of the Hon'ble Judicial Magistrate of 1st class, Srikakulam, AP both are one and the same and the case for cheating the farmers by collecting huge amounts from them by promising them to provide attender jobs is disposed off on 12-3-2014 stating that as accused found not guilty. While quoting the criminal case judgment he has requested the Government to Drop further action against him on humanitarian grounds.

8. The government have examined the case and it is observed that even though the charge is one and the same, the CO have cheated the public by using his official position violating the rule-3 of APCS(Conduct) Rules 1964 and also observed that the amount which was taken by the CO from the 27 poor farmers and other cultivation labor of the small villages have given loans for such huge amounts is not correct. Hence it is revealed that he has taken amount from them by giving false promise. The complainants are directly or indirectly connected with the agriculture departmental activities. The CO has taken steps for repayment of the amount to the concerned individuals for avoiding criminal proceedings and manipulated the case in a criminal mind. . However the charge is held proved during the departmental enquiry. Taking into consideration of the above the request of the CO has not been considered and rejected and decided to impose the punishment of 15% cut in pension permanently against Sri K. Murali Mohan, former ADA®, Sompeta now retired as DPDA, ATMA,Kakinada.

9. When consulted the APPSC has required under rules in force vide letter 13th read above. The APPSC have agreed with the decision of the Govt. vide ref. 14th read above.

10. The Government have examined the case in detail, taking in to consideration of the material on record , decided and hereby order 15% cut / with hold in pension permanently against Sri K. Murali Mohan, former ADA®, Sompeta now retired as DPDA, ATMA,Kakinada in the case.

11. The Special Commissioner of Agriculture, A.P. Guntur shall take further action in the matter.

(**BY ORDER AND IN THE NAME OF THE GOVERNOROF ANDHRA PRADESH)**

B. RAJSEKHAR
SPECIAL CHEIF SECRETARY TO GOVERNMENT (FAC)

To
The individual concerned through the Special Commissioner of Agriculture, A.P., Guntur.
The Special Commissioner of Agriculture, A.P., Guntur.
Copy to:
The Secretary, APPSC, Vijayawada
The Secretary, APVC, Sectt. Buildings.
The AG AP, Hyderabad
The DTA, AP, Vijayawada
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER